

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DIGITAL MEDIA SOLUTIONS, LLC	)	CASE NO. 1:19-cv-145
	)	
Plaintiff,	)	
	)	JUDGE DAN AARON POLSTER
	)	
v.	)	MAGISTRATE JUDGE
	)	THOMAS M. PARKER
SOUTH UNIVERSITY OF OHIO, LLC,	)	
<i>et al.</i>	)	
	)	
Defendants.	)	

**INTERVENORS MARINA AWED, JAYNE KENNEY AND KENDRICK HARRISON'S  
MOTION FOR EXPEDITED DISCOVERY OF STUDENT LOAN STIPEND  
DIVERSION SCHEME**

Intervenor Marina Awed and proposed Intervenor Jayne Kenney and Kendrick Harrison<sup>1</sup>, present and former students at Argosy schools run by Dream Center Education Holdings (DCEH) move for expedited discovery with respect to the diversion of student loan stipends. No one disputes that the federal government forwarded money to the schools and that somebody at Argosy or DCEH took the money that these students borrowed from the federal government to pay students' living expenses while they pursued their education. As a result of the loss of these funds, the students' lives and the lives of their families have been thrown into turmoil. Thousands of other Argosy students have suffered the same fate. The diverted funds are not garden-variety receivables of the insolvent Dream Center estate to be pursued over the course of an insolvency

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<sup>1</sup> Ms. Kenney and Mr. Harrison have filed a motion to intervene in this receivership proceeding under separate cover, contemporaneous with the filing of this motion. The Receiver does not oppose that motion.

proceeding, but rather are property received by the schools in trust for the students, which they need to live on to complete their education. The prospects for recovering the money will only diminish the longer it takes to determine the culprits.

Ideally, the Receiver would have investigated this theft with urgency, and promptly volunteered the information it discovered to the Court and to affected students. That has not been his priority. As a result, the Argosy Student Intervenor must proceed on their own, and hereby move the court to require an expedited production of relevant information to students who are directly affected, so that they can determine what remedies are available against whom for the theft of their funds. Alternatively, intervenors request that the Court lift the stay of litigation so that they have the option to file suit against the Receiver to determine and establish the existence and location of the fees held in trust for them.

A memorandum in support is attached hereto.

Dated: April 5, 2019

Respectfully submitted,

*s/Richard S. Gurbst*

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Kenney and Kendrick Harrison

**CERTIFICATE OF SERVICE**

It is hereby certified that on the 5th day of April, 2019, the foregoing was electronically filed through the Court's CM/ECF system, which caused the parties or counsel to be served by electronic means. The parties may access this filing through the Court's ECF system.

*s/Richard S. Gurbst*

Richard S. Gurbst